

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION

THIS DOCUMENT RELATES TO:

PBM Cases

MDL No. 2804

Case No. 1:17-md-02804-DAP

Judge Dan Aaron Polster

**DECLARATION OF ANDREW HATCHETT
IN SUPPORT OF OPTUMRX'S MOTION TO PROHIBIT *EX PARTE*
COMMUNICATIONS REGARDING SPECIAL MASTER RULINGS**

I, Andrew Hatchett, declare as follows:

1. I am an attorney at Alston & Bird LLP and represent OptumRx, Inc. in this case.
2. I am over eighteen years old, of sound mind, and under no legal disability. I have personal knowledge of the facts set forth in this declaration, and if called to testify in person about those facts, could competently do so under oath.
3. On July 15, 2025, I received an email from Special Master David R. Cohen's email address, "david@specialmaster.law." The email stated: "Greetings, I am happy to report that my gambit worked. See thread below. We will not be receiving an objection to my ruling directing Optum to produce various materials." The email was signed "-d".
4. A few minutes later, I received a follow up email from Special Master Cohen's email address, "david@specialmaster.law," on the same email thread. The follow up email stated: "Sorry, that email was meant for JP. Please delete." The email was signed "-d".
5. On August 12, 2025, my colleague, Brian Boone, responded to Special Master Cohen on the same email chain to explain OptumRx's concerns with the Special Master's July 15, 2025 emails.

6. A true and correct copy of the email thread containing Special Master Cohen's July 15, 2025 emails and Brian Boone's August 12, 2025 response is attached as Exhibit A.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated: August 12, 2025.

A handwritten signature in black ink, reading "Andrew Hatchett". The signature is written in a cursive style with a horizontal line underneath.

Andrew Hatchett